

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Tourunen et al. CONF. NO.: 1180
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TITLE: ALLOCATING DATA TRANSMISSION RESOURCES IN PACKET-SWITCHED DATA TRANSMISSION
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Board of Patent Appeals and Interferences
United States Patent and Trademark Office
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REQUEST FOR PRE-APPEAL BRIEF CONFERENCE REVIEW

Claims 1, 8, 11 and 16 are not unpatentable over Forslow in view of Titmuss and Yang under 35 U.S.C. §103(a), because the combination of references does not disclose or suggest defining a compression method of header fields in data packets used on the radio bearer where the "**compression method requires a bi-directional connection**" as recited in Applicant's claims. As stated in MPEP §2142 et seq., a *prima facie* case of obviousness under 35 U.S.C. §103(a) requires that the combination of references teach all of the claimed limitations. The combination of Forslow, Titmuss and Yang does not disclose or suggest a "a compression method requiring a bi-directional connection" as is recited and claimed by Applicant.

The term “bi-directional” will generally be known to mean the ability to communicate in two directions at the same time. This is commonly referred to as “two-way” communication. In a typical one-way data transmission network, there can be a downlink and an uplink. (see e.g. paragraph [0003] of Applicant’s specification). This might also be referred to as a forward connection and a reverse connection. These are “uni-directional” connections and not “bi-directional” connections, and the mere fact that uni-directional connections exist does not and cannot imply that a compression method “requires” a bi-directional connection as recited in Applicant’s claims.

Claim 1 explicitly recites that the compression method “requires” a “bi-directional” connection. This is an advantage not previously seen and overcomes the problem with applications requiring a one-way application that *attempt to use* a header compression requiring a bi-directional connection. (see e.g. [0024], pp. 8-9 of Applicant’s specification.)

The Examiner notes that Forslow does not disclose that a compression method requiring a “bi-directional” connection, as claimed by Applicant. (see page 4 of Office Action mailed 19 January 2007). The Examiner then refers to Yang in support of this proposition. It is respectfully submitted that Yang does not disclose or suggest a “compression method” **requiring** a “bi-directional connection” as claimed, but rather only discloses compression methods needing a one-way connection or operating in a uni-directional system. It is quite different to require a bi-directional connection for a compression method versus a compression method that can operate in on or the other of an uplink or downlink direction.

Although Yang discusses an uplink direction and a downlink direction, Yang only discloses that its compression method operates only in one of a single direction. Yang makes no disclosure that its compression method **requires** a bi-directional connection to operate, as claimed by Applicant. See for example in Yang, paragraph [0039] where the “up-link” direction from mobile station 60 is considered. Paragraph [0061] refers to the “downlink” direction. As noted by the Examiner, paragraph [0094] refers to an “up line direction” and “up link direction.” While these paragraphs disclose the existence of two different directions, these paragraphs merely disclose that the compression method works in one or the other direction. There is nothing in these paragraphs that states the “compression method” **requires** a “bi-directional connection” to operate, as claimed by Applicant.

Other disclosures in Yang also do not disclose or suggest that the compression method of Yang **“requires”** a bi-directional connection. Paragraph [0094] of Yang refers only to the “downlink” direction. Paragraph [0099] states that the compression algorithm “adds on (uplink) and strips off (downlink).” Paragraph [0106] also only refers to the “downlink” direction. While these paragraphs discuss uplink and downlink directions, there is nothing here stating that the **compression method requires a bi-directional connection** as claimed by Applicant. The only disclosure in Yang of compression methods relates to unidirectional connections and operations. While Yang talks about “uplink” or “downlink” directions, Yang does not disclose or suggest compression methods **requiring a bi-directional connection** as claimed by Applicant.

In the system claimed by Applicant, a new compression method (ROHC) is used as a default setting, and ROHC always requires a bi-directional connection to operate properly. Thus, Applicant recites a compression method that requires a bi-directional connection. The mere fact that a compression method may work

in one or the other directions is not the same as a compression method **requiring** a bi-directional connection. ROHC also requires certain bandwidth (bit resources) reserved for it. If network resources are only reserved for an application, without considering capacity need of ROHC, then problems will arise. The system claimed by Applicant solves these problems, whereas Yang does not, and the combination of Forslow, Titmuss and Yang does not as well.

Therefore, since the combination of references does not disclose or suggest a "**compression method requiring a bi-directional**" connection as claimed, a *prima facie* case of obviousness has not and cannot be established. Thus, there is clear error in the rejection of claims 1, 8, 11 and 16 and the rejection should be withdrawn.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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